

USCG/ECOLOGY MOA	Protocols Manual	Procedure: 2 Page: Page 1 of 6 Revision: 06/26/2007
Oil Transfer Operations		

1. PURPOSE/SCOPE

The purpose of the Oil Transfer Operations Protocol is to coordinate oil transfer monitoring operations to maximize the effectiveness of combined U.S. Coast Guard District Thirteen ("USCG") and Washington State Department of Ecology ("Ecology") resources devoted to safe marine transportation and environmental protection. This protocol is also expected to leverage resources by bringing the diverse expertise of USCG and Ecology inspectors together to achieve safer oil transfer operations, while avoiding undue duplication of effort.

Instructions contained in this procedure apply to oil transfer operations involving commercial vessels in navigable waters of the state of Washington. USCG and Ecology will coordinate monitoring of oil transfer operations, including, but not limited to dockside transfers at facilities, lightering, and bunkering operations.

2. AUTHORITY/REFERENCES

Memorandum of Agreement on Pollution Prevention and Response between the Commander, Thirteenth Coast Guard District and the state of Washington executed on June 26, 2007.
 Section V- Prevention of Oil and Hazardous Substances Spills:

D. Oil Transfer Operations: Monitoring oil transfer operations is an effective pollution prevention measure. The Parties agree to develop a protocol for oil transfer monitoring coordination.

1. The Parties will coordinate to monitor oil transfer operations, including, but not limited to dockside transfers at facilities, and lightering and bunkering operations. During oil transfer operations, pollution prevention and pollution response equipment may be examined. The Parties agree to coordinate scheduling of oil transfer monitoring operations to avoid redundant oversight and minimize disruptions to industry. Each Party will advise the other of violations observed.

2. The Parties agree to make oil transfer monitoring records available to each other and to cooperatively review monitoring results, subject to applicable laws, regulations, and procedures.

Ecology

Statutes

RCW 88.46 Vessel Oil Spill Prevention and Response

RCW 90.56 Oil and Hazardous Substance Spill Prevention and Response

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Regulations

WAC 317-40 Bunkering Operations

WAC 173-180 Facility Oil-Handling Standards

WAC 173-184 Vessel Oil Transfer Advance Notice and Containment Requirements

Documents/Forms

Bunker Operations Monitoring Report

Facility Bulk Oil Transfer Monitoring Report

USCG

Statutes

14 USC 141 - Cooperation with Other Agencies

33 USC 1321 (j)(1)(C) - Oil and Hazardous Substance Liability- Regulations

46 USC 3703 - Carriage of Bulk Liquid Dangerous Cargoes- Regulations

46 USC 3715 - Lightering

Regulations

33 CFR 154 - Facilities Transferring Oil or Hazardous Material in Bulk

33 CFR 155 - Oil or Hazardous Material Pollution Prevention Regulations for Vessels

33 CFR 156 - Oil and Hazardous Material Transfer Operations

Documents/Forms

Pollution Prevention Compliance Report CG-5562B (1-94)

3. EFFECTIVE DATE/POINTS OF CONTACT

This protocol will become effective upon signature of both parties.

The following persons will serve as points of contact for questions concerning this protocol and its implementation:

Ecology

Spill Prevention Unit Supervisor, Southwest Regional Office

Phone: 360-407-6238

Fax: 360-407-6305

Mailing Address: Washington Department of Ecology, Southwest Regional Office, P.O. Box 47600, Olympia, WA 98504-7600.

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Spill Prevention Unit Supervisor, Northwest Regional Office

Phone: 425-649-4491

Fax: 425-649-7098

Mailing Address: Washington Department of Ecology, Northwest Regional Office, 3190 - 160th Ave. SE, Bellevue, WA 98008-5452

USCG

Sector Portland, Chief, Prevention Branch

Phone: 503-240-2566.

Fax: 503-240-9308

Mailing Address: USCG Sector Portland, 6767 N. Basin Ave., Portland, OR 97217

Sector Seattle, Facilities and Containers Branch

Phone: 206-217-6165

Fax: 206-217-6227

Mailing Address: USCG, Sector Seattle, 1519 Alaskan Way South, Bldg 4, Seattle, WA 98134

4. POLICIES

It is the policy of the USCG and Ecology:

- To coordinate oil transfer monitoring schedules.
- To monitor as many oil transfers as the combined USCG/Ecology workforce will allow for violations of federal and state laws, and regulations.
- That documents will be shared pursuant to the Disclosure of Records protocol.
- To implement prompt sharing of monitoring results when violations are noted.
- To regularly review data collected for the purposes of identifying unsafe practices commonly encountered during oil transfers and devise joint strategies for addressing those practices.
- To coordinate any oil transfer related training to ensure both consistent and comprehensive transfer monitoring.

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- It is recognized there is a collaborative and cross training benefit for Sector Commanders and Ecology Regional/Field Offices to periodically conduct joint monitors, and as such field personnel should target opportunities as they become available.

5. STANDARD OPERATING PROCEDURES

Operational Task Summary Matrix

Task	USCG		ECOLOGY	
	Branch Chief	Inspector	HQ/F.O. Supv.	Inspector
A. Coordinate sharing of advance notices of transfer between Coast Guard and Ecology.	P	A	P	A
B. Ecology calls USCG to coordinate monitoring of operations.		A		P
C. Monitor oil transfer operations.		P		P
D. Advise one another of violations observed.	P	A	P	A
E. Fax checklists for operations where violations were observed.	P	A	P	A
F. Make oil transfer monitoring records available when requested.	P	A	P	A
G. Review monitoring results.	P		P	

Key: P =Primary Responsibility, A = Assist

Frequency of Communication

- Daily communications as needed to provide advance notice of transfers not entered into web based system, to coordinate monitoring activities and advise one another of violations observed.
- Annual review of monitoring results for statistical analysis and identification of commonly noted unsafe practices. Annual reviews will be accomplished by January 31 of each calendar year.
- Annual review of protocol effectiveness.

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USCG Task Detail

Sector Branch Chiefs will oversee the following tasks:

- A. Coast Guard Sector will fax Ecology HQ any notice of transfer received directly from MTR facility that is not included on Ecology's web based system. The oil transfer notices also should be sent on a timely basis to the Regional/Field Offices to allow their Vessel Inspectors time to coordinate vessel boardings both internally and with USCG. The notices should be sent via fax or e-mail (see Section 3 for contact information).
- B. Ensure Ecology is advised of WAC violations observed during the course of an oil transfer operation (see Frequency of Communication). There is no expectation that USCG inspectors will be fully conversant with Ecology regulations and policy; however, if a violation or suspected violation is observed, notification to the appropriate Ecology Regional/Field Office is appropriate.
- C. Make oil transfer monitoring records available and cooperatively review monitoring results for statistical and causal analysis (see Frequency of Communication).

Ecology Task Detail

Ecology HQ will oversee the following tasks:

- A. Maintain web-based Notice of Transfer system, including the entry of all reports of transfers received via facsimile or other accepted means ultimately into web-based system. Ecology will promptly inform appropriate USCG Sector of any reports received by means other than web-based system to ensure opportunity for monitoring such transfer operations is not missed due to administrative delays in system updates.
- B. Provide USCG Sector personnel training in system use upon request.

Ecology Regional/Field Office Supervisors will oversee the following tasks:

- A. Ensure Ecology Vessel Inspectors call their counterparts at USCG Sector Prevention Department to coordinate oil transfer monitoring operations (see Frequency of Communication).

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- B. Ensure USCG is advised of CFR violations observed during the course of the oil transfer operation (see Frequency of Communication). There is no expectation that Ecology inspectors will be fully conversant with USCG regulations and policy; however, if a violation or suspected violation is observed, notification to the cognizant sector is appropriate.
- C. Copy USCG on all correspondence regarding CFR violations (see Frequency of Communication).
- D. Make oil transfer monitoring records available and cooperatively review monitoring results for statistical and causal analysis (see Frequency of Communication).

6. MEASURES OF EFFECTIVENESS

Partnership Measures

- Number of Transfer Monitors conducted (aggregate of USCG and Ecology/Number of Transfers in Washington State Waters. (Target 25% per year).
- Annual percentage of Transfer Monitors conducted by vessel/facility type compared to total number of vessels/facilities (by type).

Environmental Protection Measures

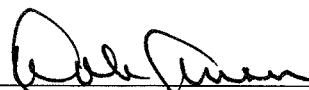
- Number of spills resulting from an oil transfer operation.
- Number of gallons of oil spilled during an oil transfer operation per gallons of oil transferred by vessel/facility type.

7. APPROVAL



W. T. DEVEREAUX
 Captain, U. S. Coast Guard
 Thirteenth Coast Guard District
 Chief, Prevention Division

DATE: 26 JUN 2007



DALE JENSEN
 Program Manager
 Spill Prevention, Preparedness, and
 Response Program
 Washington Department of Ecology

DATE: 6-26-07